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UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD JOHNSON,

Plaintiff,

vs.

JOHN CAMARENA, individually and  
dba DAIRY QUEEN OF CAMPBELL-  
C.J. RESTAURANT CONSULTING, and  
DOES 1-10, Inclusive,

Defendants.

Case No.:

**COMPLAINT FOR PRELIMINARY AND  
PERMANENT INJUNCTIVE RELIEF  
AND DAMAGES: DENIAL OF CIVIL  
RIGHTS AND ACCESS TO PUBLIC  
FACILITIES TO PHYSICALLY  
DISABLED PERSONS, PER  
CALIFORNIA STATUTES (INCLUDING  
CIVIL CODE §§ 51, 52, 54, 54.1, 54.3,  
54.4 AND 55), INJUNCTIVE RELIEF  
PER TITLE III, AMERICANS WITH  
DISABILITIES ACT OF 1990**

**DEMAND FOR JURY TRIAL**

Plaintiff, RICHARD JOHNSON ("JOHNSON") complains of defendants JOHN  
CAMARENA, individually and dba DAIRY QUEEN OF CAMPBELL-C.J. RESTAURANT  
CONSULTING and DOES 1-10, Inclusive, and each of them, and alleges as follows:

**A. INTRODUCTION**

1. This case involves the denial of accessible public facilities to JOHNSON and other  
disabled persons at the Dairy Queen restaurant ("DAIRY QUEEN"), located at 2255  
Winchester, Campbell, California 95008. JOHNSON, a qualified disabled person,

1 experienced numerous barriers to access as a result of the access violations at DAIRY  
2 QUEEN, including but not limited to parking access, ramps, pathways, doors, counters,  
3 signage, access aisles, and numerous bathroom barriers. JOHNSON has been a disabled  
4 individual since an accident left him paraplegic in or about July 2009 and is a "person with  
5 a disability" or a "physically handicapped person". JOHNSON uses a wheelchair when  
6 ambulating and is unable to use portions of public facilities which are not accessible to  
7 disabled persons, including those who use a wheelchair. JOHNSON was denied his rights  
8 to full and equal access at these facilities, and was denied his civil rights under both  
9 California law and federal law, because these facilities were not, and are not now, properly  
10 accessible to physically disabled person, including those who use a wheelchair. JOHNSON  
11 seeks injunctive relief to require defendants to make these facilities accessible to disabled  
12 persons and to ensure that any disabled person who attempts to use DAIRY QUEEN will  
13 be provided properly disabled-accessible facilities. JOHNSON also seeks recovery of  
14 damages for his discriminatory experiences and denial of access and civil rights, which  
15 denial is continuing as a result of defendants' failure and refusal to provide disabled-  
16 accessible facilities. JOHNSON also seeks recovery of reasonable statutory attorney fees,  
17 litigation expenses and costs.

## 18 **B. JURISDICTION**

19       2. This Court has jurisdiction of this action pursuant to 28 USC §1331 for violations  
20 of the Americans with Disabilities Act of 1990, 42 USC §12101 et seq. Pursuant to pendant  
21 jurisdiction, attendant and related causes of action arising from the same facts are also  
22 brought under California law, including but not limited to violations of California Government  
23 Code §§4450 et seq, California Civil Code §§51, 52, 54, 54.1, 54.4 and 55; and Title 24  
24 California Code of Regulations.

## 25 **C. VENUE**

26       3. Venue is proper in this court pursuant to 28 USC §1391(b) and is founded on the  
27 fact that the real property which is the subject of this action is located in this district, that  
28

1 JOHNSON resides in this district and that JOHNSON's causes of action arose in this  
2 district.

3 **D. INTRADISTRICT**

4 4. This case should be assigned to the San Jose intradistrict as the real property  
5 which is the subject of this action is located in this intradistrict and JOHNSON's causes of  
6 action arose in this district.

7 **E. PARTIES**

8 5. Plaintiff, RICHARD JOHNSON, is a qualified physically disabled person who has  
9 been disabled since an accident left him paraplegic in or about July 2009 and is a "person  
10 with a disability" or a "physically handicapped person". JOHNSON uses a wheelchair when  
11 ambulating , and is a "disabled" person within the meaning of Civil Code §54 and §54.1.  
12 Defendants, JOHN CAMARENA, individually and dba DAIRY QUEEN OF CAMPBELL-C.J.  
13 RESTAURANT CONSULTING; and DOES 1-10, Inclusive, are the owners, subsidiaries,  
14 operators, lessors and lessees of the business property, buildings and/or portions thereof  
15 known as Dairy Queen restaurant ("DAIRY QUEEN"), located at 2255 Winchester Blvd.,  
16 Campbell, California 95008. DAIRY QUEEN is a "public accommodation" and "business  
17 establishment" subject to the requirements of California Civil Code §§51 et seq and §§54.  
18 DAIRY QUEEN, since July 1, 1982, has undergone construction and/or "alterations,  
19 structural repairs, or additions", subjecting such facility to disabled access requirements of  
20 California Title 24, the State Building Code. Further, irrespective of the alteration history,  
21 such premises are subject to the "readily achievable" barrier removal requirements of Title  
22 III of the Americans with Disabilities Act of 1990.

23 6. The true names and capacities of Defendants Does 1 through 10, Inclusive, are  
24 unknown to JOHNSON, who therefore sues said defendants by such fictitious names.  
25 JOHNSON is informed and believes and alleges thereon that each of the defendants herein  
26 designated as "Doe" is legally responsible in some manner for the events and happenings  
27 herein referred to and caused injury and damages proximately thereby to JOHNSON.  
28

1 JOHNSON prays leave of Court to amend this Complaint to show such true names and  
2 capacities when the same have been ascertained.

3 7. Defendants JOHN CAMARENA, individually and dba DAIRY QUEEN OF  
4 CAMPBELL-C.J. RESTAURANT CONSULTING; and Does 1 through 10, Inclusive, are and  
5 were the owners, subsidiaries, operators, lessees and/or lessors of the subject property  
6 and/or buildings at all times relevant to this Complaint. JOHNSON is informed and believes  
7 and alleges thereon that each of the defendants herein is the agent, employee or  
8 representative of each of the other defendants, and performed all acts and omissions stated  
9 herein within the scope of such agency or employment or representative capacity and is  
10 responsible in some manner for the acts and omissions of the other defendants in  
11 proximately causing the damages complained of herein.

12  
13 **FIRST CAUSE OF ACTION**  
14 **DENIAL OF FULL AND EQUAL ACCESS TO**  
15 **PUBLIC FACILITIES IN A PUBLIC ACCOMMODATION**  
**(California Govt. Code §4450 et seq; Civil Code §§54, 54.1 et seq)**

16 8. JOHNSON pleads and incorporates by reference, as if fully set forth herein, the  
17 factual allegations contained in Paragraphs 1 through 7, above, and incorporates them  
18 herein by reference as if separately plead hereafter.

19 9. JOHNSON and other similarly situated physically disabled persons, including  
20 those who require the use of a wheelchair, are unable to use public facilities on a "full and  
21 equal" basis unless each such facility is in compliance with the provisions of California  
22 Government Code §4450 et seq. JOHNSON is a member of that portion of the public whose  
23 rights are protected by the provisions of California Government Code §4450 et seq. and  
24 Civil Code §§ 54 and 54.1.

25 10. Government Code §4450 et seq were enacted "to ensure that all buildings,  
26 structures, sidewalks, curbs, and related facilities, constructed in this state by the use of  
27 state, county, or municipal funds, or the funds of any political subdivision of the state shall  
28

1 be accessible to and usable by persons with disabilities". On information and belief,  
2 Government Code §4450 et seq apply to DAIRY QUEEN. Civil Code §54 provides that:  
3 "Individuals with disabilities or medical conditions have the same right as the general public  
4 to the full and free use of the streets, highways, sidewalks, walkways, public buildings,  
5 medical facilities, including hospitals, clinics, and physicians' offices, public facilities, and  
6 other public places. " Civil Code §54.1 provides that: "Individuals with disabilities shall be  
7 entitled to full and equal access, as other members of the general public, to  
8 accommodations..." The codes relating to such public accommodations also require that  
9 "[w]hen sanitary facilities are made available for the public, clients or employees....they shall  
10 be made available for persons with disabilities." Title 24, California Code of Regulations,  
11 formerly known as the California Administrative Code, was in effect at the time of each  
12 alteration which occurred at such public facility since July 1, 1982, thus requiring access  
13 complying with the specifications of Title 24 whenever each such "alteration, structural  
14 repair or addition" was carried out. Defendants and/or their predecessors in interest carried  
15 out alterations, structural repairs or additions to the subject building and its parking facilities  
16 during the period Title 24 has been in effect.

17 11. JOHNSON has been a disabled individual since an accident left him paraplegic  
18 in or about July 2009. His first visit to DAIRY QUEEN was on or about October 25, 2015,  
19 and on at least two (2) additional occasions since then, on December 17, 2015 and  
20 December 20, 2015. With each visit to DAIRY QUEEN, Johnson has experienced  
21 numerous barriers to access in violation of both federal and state access for disabled  
22 people laws, including but not limited to the following:

- 23 • JOHNSON experienced difficulties navigating the parking lot because:
- 24 • no path of travel from the sidewalk;
  - 25 • steep and hazardous parking ramp;
  - 26 • vertical and horizontal projections exist in the exterior path of travel;
  - 27 • the access parking aisle is on the wrong side of van ADA parking;
  - 28

- the parking sign is less than 80" high and lacks the \$250 penalty information

Specifically, on his December 17, 2015, visit, JOHNSON finally parked, and was surprised to find that the access parking aisle was on the wrong side of the ADA van parking, thus requiring him to wheel his chair through an unmarked and dangerous path of travel. JOHNSON then had much difficulty in rolling his chair on the steep parking ramp, after fearfully crossing the lot without a marked path of travel. JOHNSON encountered a table obstructing the outside pathway and he had to wait until someone else moved the table, which caused him embarrassment and humiliation.

- JOHNSON, in a subsequent visit, experienced difficulties (could not sit outside) outside the business because:

- there is no exterior ADA seating because the tables are too close together;

- JOHNSON experienced difficulties entering the business because:

- the main door is heavy and fast-closing;

When JOHNSON attempted to enter the business, his wheelchair was knocked by the fast-closing main door, which he had much difficulty opening.

- JOHNSON experienced difficulties inside the business because:

- inaccessible ketchup cups and ketchup dispensers;
- no accessible indoor seating - his wheelchair hit the metal base of the only table (others are fixed benches) and prevented him from getting close and causing him to stick out in the aisle;
- heavy bathroom door;
- out-of-reach towels, toilet paper and soap in the bathroom;
- hard to reach toilet handle;
- high sink rim;
- his knees/toes hit the bathroom sink pedestal;
- garbage can requires foot operation.

1 When JOHNSON finally was able to roll inside and beyond the main door, he ordered, but  
2 was unable to access the ketchup cups and dispensers and was deterred from tastefully  
3 consuming his food. JOHNSON was unable to find any accessible table to consume his  
4 food, as his wheelchair hit the metal base of the only table, which caused him to stick out  
5 in the aisle and which caused him much embarrassment and discomfort. JOHNSON's hand  
6 has nerve damage and he had difficulties opening the heavy bathroom door and  
7 experienced some self-urination. This was worsened when, inside the bathroom, he had  
8 difficulties flushing the toilet because the handle was hard to reach. JOHNSON's woes were  
9 compounded by his inability to wash and dry his hands after using the toilet because of the  
10 high sink rim and the out-of-reach towels, toilet paper and soap in the bathroom. Even when  
11 he tried his best to wash his hands, JOHNSON's knees and toes hit the bathroom sink  
12 pedestal. Finally, he was deterred from using the garbage can because it required foot  
13 operation, which further caused him embarrassment.

14 These barriers have rendered DAIRY QUEEN and its premises illegally inaccessible to and  
15 unuseable by physically disabled persons, including JOHNSON. All facilities must be  
16 brought into compliance with applicable federal and state statutory and regulatory  
17 requirements, according to proof.

18 12. Further, each and every violation of the Americans with Disabilities Act of 1990  
19 (as pled in the Third Cause of Action below), also constitutes a separate and distinct  
20 violation of California Civil Code §54(c), thus independently justifying an award of damages  
21 and injunctive relief pursuant to California law, including but not limited to, Civil Code §§54.3  
22 and 55.

23 13. Further, each and every violation of the Americans with Disabilities Act of 1990  
24 (as pled in the Third Cause of Action below), also constitutes a separate and distinct  
25 violation of California Civil Code §54.1(d), thus independently justifying an award of  
26 damages and injunctive relief pursuant to California law, including but not limited to, Civil  
27 Code §§54.3 and 55.



1        14. JOHNSON seeks injunctive relief to prohibit the acts and omissions of  
2 defendants as complained of herein, which are continuing on a daily basis and which have  
3 wrongfully excluded JOHNSON and other similarly situated members of the public from full  
4 and equal access to these public facilities. Such acts and omissions are the cause of  
5 humiliation and mental and emotional suffering of JOHNSON in that these actions continue  
6 to treat JOHNSON as an inferior and second class citizen and serve to discriminate against  
7 him on the sole basis that he is a person with a disability who requires the use of a  
8 wheelchair for movement. JOHNSON is unable, so long as such acts and omissions of  
9 defendants continue, to achieve equal access to and use of these public facilities, and has  
10 been harmed as a result of trying to access the facilities and/or has been deterred and  
11 unable to access the facilities. JOHNSON alleges that he intends to return and purchase  
12 and consume food at DAIRY QUEEN , a restaurant located in his hometown, once legally  
13 required access has been provided. The acts of defendants have proximately caused and  
14 will continue to cause irreparable harm and injury to JOHNSON if not enjoined by this court.

15        15. Whereas, JOHNSON asks this court to preliminarily and permanently enjoin any  
16 continuing refusal by defendants to grant full and equal access to JOHNSON in the respects  
17 complained of and to require defendants to comply forthwith with the applicable statutory  
18 requirements relating to access for disabled persons. Such injunctive relief is provided by  
19 California Government Code §4452 and California Civil Code §55, and other law.  
20 JOHNSON further requests that the court award damages pursuant to Civil Code §54.3 and  
21 other law and attorney fees, litigation expenses, and costs pursuant to Civil Code §54.3 and  
22 455, Code of Civil Procedure §1021.5 and other law, all as hereinafter prayed for.

23        16. As a result of the denial of equal access to these facilities, and due to the acts  
24 and omissions of defendants and each of them in owning, subsidizing, operating, leasing,  
25 constructing, altering and maintaining the subject facilities, JOHNSON suffered a violation  
26 of his civil rights, including but not limited to, rights under Civil Code §§54 and 54.1, all to  
27 his damages per Civil Code §54.3, including general, statutory and treble damages, as  
28 hereinafter stated. Defendants' actions and omissions to act constitute discrimination



1 against JOHNSON on the sole basis that he was and is physically disabled and unable,  
2 because of the architectural and other barriers created and/or maintained by the defendants  
3 in violation of the subject laws, to use the public facilities on a full and equal basis as other  
4 persons.

5 17. At all times herein mentioned, defendants knew, or in the exercise of reasonable  
6 diligence should have known, that their barriers and practices at their subject facilities  
7 violated disabled access requirements and standards and had a discriminatory affect upon  
8 JOHNSON and upon other physically disabled persons, but defendants have failed and  
9 refused to rectify these violations, and presently continue a course of conduct of failure to  
10 remove architectural barriers that discriminate against JOHNSON and similarly situated  
11 disabled persons.

12 18. As a result of defendants' acts, omissions and conduct, JOHNSON has been  
13 required to incur attorney fees, litigation expenses and costs, in order to enforce his rights  
14 and to enforce provisions of the law protecting access for disabled persons and prohibiting  
15 discrimination against disabled persons. JOHNSON therefore seeks recovery of all  
16 reasonable attorney fees and costs, pursuant to the provisions of California Civil Code  
17 §§54.3 and 55. Additionally, JOHNSON's lawsuit is intended to require that defendants  
18 make their facilities accessible to all disabled members of the public, justifying "public  
19 interest" attorney fees and costs pursuant to the provisions of California Code of Civil  
20 Procedure §1021.5 and other applicable law.

21 WHEREFORE, JOHNSON prays for damages and injunctive relief as hereinafter  
22 stated.

23  
24 **SECOND CAUSE OF ACTION**  
25 **VIOLATION OF CALIFORNIA LAW: UNRUH CIVIL RIGHTS ACT, CIVIL CODE §§51, 52,**  
**and AMERICANS WITH DISABILITIES ACT AS INCORPORATED BY CIVIL CODE §51(f)**

26 19. JOHNSON pleads and incorporates by reference, as if fully set forth herein, the  
27 factual allegations contained in Paragraphs 1 through 18, above, and incorporates them  
28 herein by reference as if separately plead hereafter.

1       20. At all times relevant to this complaint, California Civil Code §51 has provided that  
2 physically disabled persons are free and equal citizens of the state, regardless of medical  
3 condition or disability.

4       21. California Civil Code §52 provides that discrimination by defendants against  
5 JOHNSON on the basis of his disability constitutes a violation of the anti-discrimination  
6 provision of §51 and 52.

7       22. Defendants' discrimination also constitutes a separate and distinct violation of  
8 California Civil Code §52.

9       23. Any violation of the Americans with Disabilities Act of 1990 (as pled in the Third  
10 Cause of Action) constitutes a violation of California Civil Code §51(f) thus independently  
11 justifying an award of damages and injunctive relief pursuant to California law.

12       24. The acts and omissions of defendants as herein alleged constitute a denial of  
13 access to and use of the described public facilities by physically disabled persons within the  
14 meaning of California Civil Code §§51 and 52. As a proximate result of defendants' actions  
15 and omissions, defendants have discriminated against JOHNSON in violation of California  
16 Civil Code §§51 and 52.

17       25. As a result of defendants' acts, omissions and conduct, JOHNSON has been  
18 required to incur attorney fees, litigation expenses and costs as provided by statute, in order  
19 to enforce his rights and to enforce provisions of the law protecting access for disabled  
20 persons and prohibiting discrimination against disabled persons. JOHNSON therefore seeks  
21 recovery of all reasonable attorney fees and costs, pursuant to the provisions of California  
22 Civil Code §§51 and 52. Additionally, JOHNSON's lawsuit is intended to require that  
23 defendants make their facilities accessible to all disabled members of the public, justifying  
24 "public interest" attorney fees and costs pursuant to the provisions of California Code of Civil  
25 Procedure §1021.5 and other applicable law.

26       WHEREFORE, JOHNSON prays for damages and injunctive relief as hereinafter  
27 stated.  
28

**THIRD CAUSE OF ACTION  
VIOLATION OF AMERICANS WITH DISABILITIES ACT OF 1990  
42 U.S.C. §§12101 et seq**

26. JOHNSON pleads and incorporates by reference, as if fully set forth herein, the factual allegations contained in Paragraphs 1 through 25, above, and incorporates them herein by reference as if separately plead hereafter.

27. In passing the Americans with Disabilities Act of 1990 ("ADA"), Congress' stated purpose, in relevant part, was to mandate a national prohibition of discrimination against physically disabled persons and to provide standards to address the discrimination.

28. As part of the ADA, Congress passed the definition of "Public Accommodation" to include "...other sales or rental establishment" (42 U.S.C. §12181(7)(E).

29. The ADA clearly states that "[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodations by any person who owns, leases, or leases to, or operates a place of public accommodation." 42 U.S.C. §12182. The specific prohibitions against discrimination included, but were not limited to the following:

(a) §302(b)(1)(A)(ii): "It shall be discriminatory to afford an individual or class of individuals, on the basis of a disability or disabilities of such individual or class, directly, or through contractual, licensing, or other arrangements, with the opportunity to participate in or benefit from a good, service, facility, privilege, advantage, or accommodation that is not equal to that afforded to other individuals."

(b) §302(b)(2)(A)(ii): "A failure to make reasonable modifications in policies, practices or procedures when such modifications are necessary to afford such goods, services, facilities, privileges, advantages or accommodations to individuals with disabilities."

(c) §302(b)(2)(A)(iii): "A failure to take such steps as may be necessary to ensure that no individual with a disability is excluded, denied service, segregated, or

1 otherwise treated differently than other individuals because of the absence of  
2 auxiliary aids and services..."

3 (d) §302(b)(2)(A)(iv): "A failure to remove architectural barriers, and communication  
4 barriers that are structural in nature, in existing facilities...where such removal is  
5 readily achievable;" and

6 (e) §302(b)(2)(A)(v): "Where an entity can demonstrate that the removal of a barrier  
7 under clause (iv) is not readily achievable, a failure to make such goods, services,  
8 facilities, privileges, advantages or accommodations available through alternative  
9 methods if such methods are readily achievable."

10 The acts and omissions of defendants set forth herein were in violation of  
11 JOHNSON's rights under the ADA and the regulations promulgated thereunder, 28 CFR  
12 Part 36 et seq.

13 30. The removal of each of the barriers complained of by JOHNSON as alleged  
14 above were at all times herein mentioned since January 26, 1992 "readily achievable" under  
15 the standards of §302 of the ADA. As noted above, removal of each and every one of the  
16 architectural barriers complained of herein were also required under California law. Further,  
17 on information and belief, alterations, structural repairs or additions since January 26, 1993,  
18 have also independently triggered requirement for removal of barriers to access for disabled  
19 persons per §303 of the ADA.

20 31. JOHNSON is informed and believes and alleges thereon that, as of the date of  
21 his encounter with the premises and as of the filing of this Complaint, the premises have  
22 denied and continue to deny full and equal access to JOHNSON and to other disabled  
23 persons in other respects which violate JOHNSON's rights to full and equal access and  
24 which discriminate against JOHNSON on the basis of his disability, thus wrongfully denying  
25 to JOHNSON the full and equal enjoyment of the goods, services, facilities, privileges,  
26 advantages and accommodations, in violation of §§302 and 303 of the ADA.

27 32. JOHNSON is informed and believes and alleges thereon that defendants have  
28 continued to violate the law and deny the rights of JOHNSON and other disabled persons

1 access to DAIRY QUEEN since on or before JOHNSON's encounters, as previously noted.  
2 Pursuant to the ADA, §308, 42 U.S.C. 12188 et seq, JOHNSON is entitled to the remedies  
3 and procedures set forth in §204(a) of the Civil Rights Act of 1964, 42 U.S.C. 2000a-3(a),  
4 as JOHNSON is being subjected to discrimination on the basis of disability in violation of  
5 the ADA or has reasonable grounds for believing that he is about to be subjected to  
6 discrimination. Pursuant to §308(a)(2), "In cases of violations of §302(b)(2)(A)(iv) and  
7 §303(a)... injunctive relief shall include an order to alter facilities to make such facilities  
8 readily accessible to and useable by individuals with disabilities to the extent required by  
9 this title."

10 33. JOHNSON seeks relief pursuant to remedies set forth in §204(a) of the Civil  
11 Rights Act of 1964, 42 U.S.C. 2000a-3(a), and pursuant to Federal Regulations adopted to  
12 implement the ADA. JOHNSON is a qualified disabled person for purposes of §308(a) of  
13 the ADA who is being subjected to discrimination on the basis of disability in violation of  
14 Title III and who has reasonable grounds for believing he will be subjected to such  
15 discrimination each time he attempts to use the facilities at DAIRY QUEEN.

16 WHEREFORE, JOHNSON prays for damages and injunctive relief as hereinafter  
17 stated.

#### 18 PRAYER

19 JOHNSON prays that this court:

20 1. Issue a preliminary and permanent injunction directing defendants as current  
21 owners, subsidiaries, operators, lessors, and/or lessees of the property and premises to  
22 modify the above-described property and premises and related facilities so that each  
23 provides full and equal access to all persons, including persons with physical disabilities  
24 such as wheelchair users, and issue a preliminary and permanent injunction directing  
25 defendants to provide facilities useable by JOHNSON and similarly situated persons with  
26 disabilities, and which provide full and equal access, as required by law, including  
27 appropriate changes in policy;  
28

2. Retain jurisdiction over the defendants until such time as the court is satisfied that defendants' unlawful policies, practices, acts and omissions, and maintenance of inaccessible public facilities as complained of herein no longer occur and can not recur;

3. Award to JOHNSON all appropriate damages, including but not limited to statutory damages, personal injury damages, general damages, and treble damages in an amount within the jurisdiction of the court, all according to proof;

4. Award to JOHNSON all reasonable statutory attorney fees, litigation expenses, and costs of this proceeding as provided by law;

5. Award prejudgement interest pursuant to California Civil Code §3291; and

6. Grant such other and further relief as this court may deem just and proper.

Dated: March 30, 2016

SARRAIL, CASTILLO & HALL, LLP

By: Monica Castillo

Monica Castillo  
Attorneys for Plaintiff  
RICHARD JOHNSON

**DEMAND FOR JURY**

JOHNSON hereby demands a jury for all claims for which a jury is permitted.

Dated: March 30, 2016

SARRAIL, CASTILLO & HALL, LLP

By: Monica Castillo

Monica Castillo  
Attorneys for Plaintiff  
RICHARD JOHNSON